

## INITIATIVE PETITION

To the Honorable Olene S. Walker, Lieutenant Governor:

We, the undersigned citizens and registered voters of the State of Utah, respectfully demand that the following law, to be entitled, "**THE UTAH COMPASSIONATE USE ACT**" be submitted to the legal voters of Utah for their approval or rejection at the regular general election to be held on November 2, 2004. Each singer says: "I have personally signed this petition; I am registered to vote in Utah or intend to become registered to vote in Utah before the certification of the petition names by the county clerk; and my residence and post office address are written correctly after my name."

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### THE UTAH COMPASSIONATE USE ACT

The Utah State Code shall be amended to include the following  
Be it enacted by the people of Utah

Section 52-37-8 is hereby added to the Utah Code, to read:

52-37-8 (a) This section shall be known and may be cited as the Compassionate Use Act of 2004.

(B)(1) The people of the State of Utah hereby find and declare that the purposes of the Compassionate Use Act of 2004 are as follows:

(A) To ensure that seriously ill Utahns have a right to obtain and use marijuana for medical purposes where that medical use is deemed appropriate and has been recommended by a physician who has determined that the person's health would benefit from the use of marijuana in the treatment of cancer, anorexia, AIDS, chronic pain, spasticity, glaucoma, arthritis, migraine, or any other illness for which marijuana provides relief.

(B) To ensure that patients and their primary caregivers who obtain and use marijuana for medical purposes upon the recommendation of a physician are not subject to criminal prosecution or sanction.

(C) To encourage the federal and state governments to implement a plan to provide for the safe and affordable distribution of marijuana to all patients in medical need of marijuana.

(2) Nothing in this section shall be construed to supersede legislation prohibiting persons from engaging in conduct that endangers others, nor to condone the diversion of marijuana for nonmedical purposes.

(c) Notwithstanding any other provision of law, no physician in this state shall be punished or denied any right or privilege, for having recommended marijuana to a patient for medical purposes.

(d) Section 52-37-2, relating to the possession of marijuana, and Section 52-37-8, or any other sections in Utah Code shall not apply relating to the cultivation of marijuana, shall not apply to a patient, or to a patients primary caregiver, who possesses or cultivates marijuana for the personal medical purposes of the patient upon the written or oral recommendation or approval of a physician. Including Sections 58-37e-2, 57-37-8, 57-37d-3, 34A-2-302, 58-37-13, 58-37-2, 58-37-4 of the Utah Code.

(e) For the purposes of this section, "primary caregiver" means the individual designated by the person exempted under this section who has consistently assumed responsibility for the housing, health, or safety of that person.

SEC. 2. If any provision of this measure or the application thereof to any person or circumstance is held invalid, that invalidity shall not affect other provisions or applications of the measure that can be given effect without the invalid provision or application, and to this end the provisions of this measure are severable.

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I, Olene S. Walker, Lieutenant Governor of the State of Utah, hereby certify that the initiative entitled "**THE UTAH COMPASSIONATE USE ACT**" contained in this petition section is a full, true and correct copy of that initiative as proposed by the sponsors for referral to the people of the State of Utah for their approval as law, or rejection.

Dated this 15th day of April, 2003



\_\_\_\_\_  
Olene S. Walker  
Lieutenant Governor



State of Utah, County of \_\_\_\_\_

I, \_\_\_\_\_, of \_\_\_\_\_ County, hereby state that:

- I am a resident of Utah and am at least 18 years old;
- All the names that appear in this packet were signed by persons who professed to be the persons whose names appear in it, and each of them signed his name on it in my presence;
- I believe that each has printed and signed his name and written his residence address correctly, and that each signer is registered to vote in Utah or intends to become registered to vote before the certification of the petition names by the county clerk.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Address

\_\_\_\_\_  
Date

## THE UTAH COMPASSIONATE USE ACT

**WARNING:** It is a class A misdemeanor for anyone to sign any initiative or referendum petition with any other name than his or her own, or knowingly sign their name more than once for the same measure, or to sign an initiative or referendum petition when he or she knows that they are not a registered voter and knows that they do not intend to become registered to vote before the certification of the petition names by the county clerk.

For Office REGISTERED VOTER'S PRINTED NAME

Use only (must be legible to be counted)

SIGNATURE OF REGISTERED VOTER

STREET ADDRESS, CITY, STATE, ZIP CODE

[illegible]